

03/26/01  
JCS60 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Attorney's Docket: 4001-0001C

JCS60 U.S. PTO  
09/816124  
03/26/01

Prior Application:

Art Unit: 1636

Examiner: Terry McKelvey

SIR: This is a request for filing a

[X] Continuation [ ] Divisional Application under 37 C.F.R. § 1.53 (b)(1) of pending prior application Serial No. 09/308,164 filed May 14, 1999 of Nagasawa, et al. for Method for Detecting and Isolating Genes

1. [X] Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/308,164 as originally filed on May 14, 1999.
2. [ ] Cancel Claims \_\_\_\_\_. (At least one original independent claim must be retained for filing purposes.)
3. [X] A Preliminary Amendment is enclosed.
4. [X] The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 and 3 above.

			SMALL ENTITY		LARGE ENTITY		
			Basic Fee				
(Col. 1)	(Col. 2)		Rate	Fee	or	Rate	Fee
For	No. Filed	No. Extra		\$355.00	or		\$710.00
Basic Fee	\$355.00		x 9 =	\$ 81.00	or	x 18 =	
Total Claims	20-29=	9	x 40 =	\$ 80.00	or	x 80 =	
Indep. Claims	3-5 =	2	+ 130 =		or	+ 260 =	
Multiple Dependent Claim Presented			Total	\$516.00	or	Total	\$

\*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

\*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

5. [X] A check in the amount of \$516.00 to cover the filing fee is enclosed.
6. [ ] The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. \_\_\_\_\_.
7. [X] Amend the specification by inserting before the first line, the sentence:  
  
--This is a continuation of application Serial No. 09/308,164,  
filed May 14, 1999, which is a 371 of PCT/JP97/04126 filed November 12,  
1997.--
8. [ ] New formal drawings are enclosed.
9. [X] The prior application is assigned of record to: Institute of Cytosignal Research, Inc.
10. [X] Priority of application Serial No. PCT/JP97/04126, filed on November 12, 1997 in Japan (country) is claimed under 35 U.S.C. § 119. A certified copy

[ ] is enclosed or [X] is on file in the prior application.

11. [X] A verified statement claiming small entity status

[ ] is enclosed or [X] is on file in the prior application.

12. [ ] The power of attorney in the prior application is to at least one of the following:

13. [X] The power appears in the original declaration of the prior application.

14. [ ] Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

15. [X] Please address all correspondence to SHANKS & HERBERT, TransPotomac Plaza, 1033 N. Fairfax St., Suite 306, Alexandria, VA 22314.

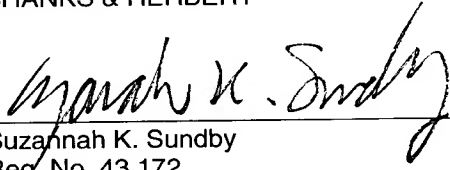
16. [X] Recognize as associate attorney Suzannah K. Sundby

17. [X] Also enclosed is Information Disclosure statement;

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 50-0622.

Respectfully submitted,

SHANKS & HERBERT

  
Suzannah K. Sundby  
Reg. No. 43,172

Date: 3-26-01

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